

**Listing of Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

1.-57. (Cancelled)

58. (Withdrawn) The method according to claim 107, wherein the biologically active agent is added above or around room temperature.

59.-60. (Canceled)

61. (Previously presented) The method according to claim 107, wherein the chemical reaction provides optimal delivery rate of the biologically active agent.

62. (Withdrawn) The method according to claim 107, further comprising subjecting the carrier starting substance to a temperature of from around -50°C to around 300°C.

63. (Withdrawn) The method according to claim 107, wherein in step (b), the chemical reaction is carried out for a time period of from 1 minute to 6 months.

64. (Cancelled)

65. (Previously presented) The method according to claim 107, wherein the acid is a monomeric acid and the alcohol is a monomeric alcohol, and further wherein the non-crystalline matrix comprises an ester or polyester thereof.

66. (Withdrawn) The method according to claim 65, wherein the monomeric acid is citric acid.

67. (Withdrawn) The method according to claim 65, wherein the monomeric alcohol is propylene glycol.

68. (Withdrawn) The method according to claim 107, wherein the biologically active agent is a pharmaceutically active agent.

69. (Cancelled)

70. (Withdrawn) The method according to claim 107, wherein the second degree of saturation is increased with respect to the first degree of saturation due to chemical reaction such that the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier matrix is different from the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier starting substance.

71.-72. (Cancelled)

73. (Withdrawn) The method according to claim 68, wherein the pharmaceutically active agent comprises a medicament for topical or dermal application to a human or non-human mammal in need thereof.

74.-75. (Cancelled)

76. (Withdrawn) The method according to claim 107, wherein said predetermined time is from 0.5 hours to 4 months after initiating the chemical reaction.

77. (Withdrawn) The method according to claim 107, wherein the composition is further chemically reacted for a time period from about 0.5 hours to 4 months.

78.-80. (Cancelled)

81. (Previously presented) The method according to claim 65, wherein the acids are selected from the group consisting of mono-, di-, tri-acids and higher acids.

82. (Previously presented) The method according to claim 65, wherein the alcohols are selected from the group consisting of mono-alcohols, diols and triols.

83. (Cancelled)

84. (Withdrawn) The method according to claim 107, wherein in step (b), the composition is chemically reacted at a temperature of from around 0°C to around 150°C.

85. (Cancelled)

86. (Withdrawn) The method according to claim 107, wherein the carrier starting substances, or the formed non-crystalline carrier matrix, act as a solvent or dispersing medium.

87. (Previously presented) A process of preparing a biologically active composition, comprising:

- (a) providing one or more alcohol or acid carrier starting substances;
  - (b) dissolving or dispersing a biologically active agent to a first degree of saturation in the one or more carrier starting substances wherein the biologically active agent is an antifungal; and
  - (c) subjecting the one or more carrier starting substances to a chemical reaction over a period of time to form a liquid or a solid non-crystalline carrier matrix in which the biologically active agent is present at a second degree of saturation that is higher than that of step (b), so as to form the biologically active composition;
- wherein the chemical reaction of step (c) is polymerization and is initiated:

in the presence of the biologically active agent in an amount effective to obtain in the composition the second degree of saturation of the biologically active agent relative to the first degree of saturation of step (b).

88.-89. (Cancelled)

90. (Previously presented) The method according to claim 87 or claim 143, wherein the acids are selected from the group consisting of mono-acids, di-acids, tri-acids and higher acids and the alcohols are selected from the group consisting of mono-alcohols, diols and triols.

91. (Cancelled)

92. (Withdrawn) The method according to claim 87 or claim 143, wherein the biologically active agent is a pharmaceutically active agent.

93.-94. (Cancelled)

95. (Withdrawn) The method according to claim 92, wherein the pharmaceutically active agent comprises a medicament for topical or dermal application to a human or non-human mammal in need thereof.

96.-97. (Cancelled)

98. (Withdrawn) The method according to claim 87 or claim 143, wherein, in step (c), the chemical reaction is performed for a time period of from 1 minute to 6 months.

99. (Withdrawn) The method according to claim 87 or claim 143, wherein, in step (c), the chemical reaction is performed for a time period from 0.5 hours to 4 months.

100. (Withdrawn) The method according to claim 87 or claim 143, wherein the one or more carrier starting substances is subjected to the chemical reaction at a temperature of from around -50°C to around 300°C.

101. (Withdrawn) The method according to claim 87 or claim 143, wherein the one or more carrier starting substances is subjected to the chemical reaction at a temperature of from around 0°C to 150°C.

102. (Withdrawn) The method according to claim 87 or claim 143, wherein the second degree of saturation is increased with respect to the first degree of saturation due to the chemical reaction such that the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier matrix is different from the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier starting substance.

103. (Withdrawn) The method according to claim 87 or claim 143, wherein said predetermined time for adding the biologically active agent in step (c) is from 0.5 hours to 4 months after initiating the chemical reaction.

104. (Withdrawn) The method according to claim 87 or claim 143, wherein said composition is further subjected to the chemical reaction from 0.5 hours to 4 months.
105. (Withdrawn) The method according to claim 87 or claim 143, wherein the one or more carrier starting substances or the formed non-crystalline carrier matrix, acts as a solvent or dispersing medium.
106. (Withdrawn) The method according to claim 87 or claim 143, wherein the biologically active agent is dissolved or dispersed in the one or more carrier starting substances at a temperature of about 25°C to 200°C.
107. (Previously presented) A method of preparing a biologically active composition comprising a biologically active agent and a carrier from which said biologically active agent is releasable, the method comprising:
- (a) providing one or more acids or alcohols as carrier starting substances having a property that the biologically active agent is dispersed or dissolved therein up to a first degree of saturation; wherein the biologically active agent is an antifungal; and
  - (b) subjecting the acid or alcohol carrier starting substances of step (a) to a chemical reaction, wherein the chemical reaction is polymerization said reaction being carried out over a period of time to result in the formation of a liquid or solid non-crystalline carrier matrix having a first property that the biologically active agent is dispersed or dissolved therein up to a second degree of saturation that is greater than the first degree of saturation; and a second property that precipitation of the biologically active agent is substantially inhibited after saturation of the biologically active agent;
- wherein: prior to step (b), the biologically active agent is added to the one or more carrier starting substances in step (a) to form the composition, wherein the biologically active agent is present up to the first degree of saturation of step (a); and the chemical reaction of step (b) is carried out on the composition, resulting in the formation of the non-crystalline carrier matrix in which the biologically active agent is present up to the second degree of saturation that is greater than the first.

108. (Previously presented) A method of preparing a biologically active composition comprising a biologically active agent dissolved or dispersed in a carrier therefor from which the biologically active agent can be released, wherein the biologically active agent is an antifungal said method comprising:

- (a) providing a composition comprising one or more acids or alcohols as carrier starting substances and the biologically active agent dissolved or dispersed therein, said biologically active agent present in an amount effective to obtain a first degree of saturation in the composition;
- (b) subjecting the composition of step (a) to a chemical reaction over a period of time effective to produce a liquid or solid non-crystalline carrier matrix in which the biologically active agent is dissolved or dispersed up to a second degree of saturation that is greater than the first degree of saturation in the composition of step (a); wherein the chemical reaction is polymerization and wherein precipitation of the biologically active agent is substantially inhibited in the carrier matrix.

109. (Previously presented) A method of preparing a biologically active composition having a biologically active agent dissolved or dispersed in a carrier therefore from which the biologically active agent can be released, wherein the biologically active agent is an antifungal comprising:

- (a) dissolving or dispersing the biologically active agent up to a first degree of saturation in one or more acids or alcohols as carrier starting substances to form a composition; and
- (b) subjecting the composition of step (a) to a chemical reaction over a period of time effective to produce a liquid or solid non-crystalline carrier matrix in which the biologically active agent is present up to a second degree of saturation that is greater than the first degree of saturation in the composition of step (a); wherein the chemical reaction is polymerization and wherein

precipitation of the biologically active agent is substantially inhibited in the carrier matrix.

110. (Previously presented) A method of preparing a biologically active composition having a biologically active agent dissolved or dispersed in a carrier therefor, and from which the biologically active agent can be released, wherein the biologically active agent is an antifungal, comprising:

- (a) initiating a chemical reaction of polymerization on one or more acids or alcohols carrier starting substances;
- (b) adding to step (a) the biologically active agent to produce a composition in which the biologically active agent is present up to a first degree of saturation of the biologically active agent in the composition;
- (c) subjecting the composition of step (b) to further the polymerization chemical reaction resulting in a liquid or solid non-crystalline carrier matrix in which the biologically active agent is dissolved or dispersed in the carrier matrix up to a second degree of saturation that is greater than the first degree of saturation in the composition of step (b), and wherein precipitation of the biologically active agent is substantially inhibited in the carrier matrix.

111. (Withdrawn) The method according to claim 110, wherein said biologically active agent is added from 0.5 hours to 4 months after initiating the chemical reaction.

112. (Withdrawn) The method according to claim 110, wherein the composition of step (c) is subjected to further chemical reaction for a period of time from 0.5 hours to 4 months.

113. (Cancelled)

114. (Previously presented) A method of preparing a biologically active composition comprising a biologically active agent dissolved or dispersed in a carrier therefor from which the biologically active agent can be released, wherein the biologically active agent is an antifungal, said method comprising:

subjecting a composition comprising the biologically active agent and one or more acid or alcohol carrier starting substances, to a polymerization chemical reaction said biologically active agent present in the composition up to a first degree of saturation; wherein said chemical reaction results in the formation of a liquid or solid non-crystalline carrier matrix in which the biologically active agent is present in the carrier matrix up to a second degree of saturation that is greater than the first degree of saturation in the composition; and wherein precipitation of the biologically active agent is substantially inhibited in the carrier matrix.

115. (Cancelled)

116. (Withdrawn) The method according to claim 115, wherein the acid is a monomeric acid and the alcohol is a monomeric alcohol, and further wherein the non-crystalline matrix comprises an ester or polyester thereof.

117. (Withdrawn) The method according to claim 116, wherein the monomeric acid is citric acid.

118. (Withdrawn) The method according to claim 116, wherein the monomeric alcohol is propylene glycol.

119. (Withdrawn) The method according to any one of claims 108, 109, 110, or 114, wherein the biologically active agent is a pharmaceutically active agent.

120. (Cancelled)

121. (Withdrawn) The method according to any one of claims 108, 109, 110, or 114, wherein the second degree of saturation is increased with respect to the first degree of saturation due to chemical reaction such that the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier matrix is different from the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier starting substance.

122. (Previously presented) A method of preparing a biologically active composition comprising a biologically active agent and a carrier from which said biologically active agent is releasable, wherein the biologically active agent is an antifungal, the method comprising:

- (a) providing one or more acid or alcohol carrier starting substances having a property that the biologically active agent is dispersed or dissolved therein up to a first degree of saturation; and
- (b) subjecting the one or more carrier starting substances of step (a) to a polymerization chemical reaction, said chemical reaction being carried out over a period of time to result in the formation of a liquid or solid non-crystalline carrier matrix having a first property that the biologically active agent is dispersed or dissolved therein up to a second degree of saturation that is greater than the first degree of saturation; and a second property that precipitation of the biologically active agent is substantially inhibited after saturation of the biologically active agent;

wherein the biologically active agent is added at a predetermined time after the chemical reaction is initiated in step (b) to provide a composition in which the biologically active agent is present up to the first degree of saturation of step (a), said composition then being subjected to further chemical reaction resulting in the formation of the non-crystalline carrier matrix in which the biologically active agent is present up to the second degree of saturation that is greater than the first.

123. (Withdrawn) The method according to claim 122, wherein the biologically active agent is added above or around room temperature.

124. (Cancelled)

125. (Withdrawn) The method according to claim 122, further comprising subjecting the carrier starting substance to a temperature of from around -50°C to around 300°C.

126. (Withdrawn) The method according to claim 122, wherein in step (b), the chemical reaction is carried out for a time period of from 1 minute to 6 months.

127. (Cancelled)

128. (Withdrawn) The method according to claim 127, wherein the acid is a monomeric acid and the alcohol is a monomeric alcohol, and further wherein the non-crystalline matrix comprises an ester or polyester thereof.

129. (Withdrawn) The method according to claim 128, wherein the monomeric acid is citric acid.

130. (Withdrawn) The method according to claim 128, wherein the monomeric alcohol is propylene glycol.

131. (Withdrawn) The method according to claim 122, wherein the biologically active agent is a pharmaceutically active agent.

132. (Cancelled)

133. (Withdrawn) The method according to claim 122, wherein the second degree of saturation is increased with respect to the first degree of saturation due to chemical reaction such that the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier matrix is different from the degree of dissociation, aggregation or degree of protonation of the biologically active agent in the carrier starting substance.

134. (Withdrawn) The method according to claim 131, wherein the pharmaceutically active agent comprises a medicament for topical or dermal application to a human or non-human mammal in need thereof.

135. (Cancelled)

136. (Withdrawn) The method according to claim 122, wherein said predetermined time is from 0.5 hours to 4 months after initiating the chemical reaction.

137. (Withdrawn) The method according to claim 122, wherein the composition is further chemically reacted for a time period from about 0.5 hours to 4 months.

138. (Withdrawn) The method according to claim 127, wherein the acids are selected from the group consisting of mono-, di-, tri-acids and higher acids.

139. (Withdrawn) The method according to claim 127, wherein the alcohols are selected from the group consisting of mono-alcohols, diols and triols.

140. (Cancelled)

141. (Withdrawn) The method according to claim 122, wherein in step (b), the composition is chemically reacted at a temperature of from around 0°C to around 150°C.

142. (Withdrawn) The method according to claim 122, wherein the carrier starting substances, or the formed non-crystalline carrier matrix, act as a solvent or dispersing medium.

143. (Previously presented) A process of preparing an antifungal biologically active composition, comprising:

- (a) providing one or more acid or alcohol as carrier starting substances;
- (b) dissolving or dispersing the biologically active agent to a first degree of saturation in the one or more carrier starting substances; and
- (c) subjecting the one or more carrier starting substances to a

polymerization chemical reaction over a period of time to form a liquid or a solid non-crystalline carrier matrix in which the biologically active agent is present at a second degree of saturation that is higher than that of step (b), so as to form the biologically active composition;

wherein the chemical reaction of step (c) is initiated in the absence of the biologically active agent, wherein the biologically active agent is added at a predetermined time after the chemical reaction is initiated, in an amount effective to obtain in the composition the second degree of saturation of the biologically active agent relative to the first degree of saturation of step (b), after which predetermined time the composition is further subjected to the chemical reaction.